



PATENT

1/25

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of : Kazuo SHINOZAKI et al.  
Group Art Unit : 1638  
Application No. : 09/988,739  
Examiner : Unassigned  
Filed : November 20, 2001  
For : ENVIRONMENTAL STRESS RESPONSIVE PROMOTER  
Docket No. : 10235/10

MAIL STOP AMENDMENTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to 37 CFR § 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO/SB/08a FORM. Unless otherwise indicated herein, one copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom. The filing of this Information Disclosure Statement and the enclosed PTO/SB/08a FORM, shall not be construed as an admission that the information cited is prior art, or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b). It is believed that no fees other than those indicated below are due, but authorization is hereby given to charge any additional fees due, or to credit any overpayment, to deposit account 11-0600.

This Information Disclosure Statement is being filed (a) within three months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. § 1.53(d), (b) within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, (c) before the mailing date of a first Office Action on the merits in the present application, OR (d) before the mailing of a first office action after filing of a request for continued examination. No certification or fee is required.

The references were cited in a Notice of Rejection mailed December 12, 2006, in connection to corresponding Japanese Patent Application No. 2001-309984. A copy of the Notice is included to for the Examiner's information.

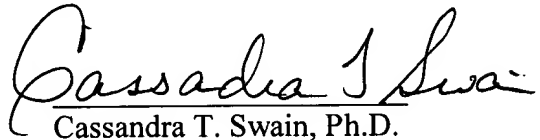
The Notice's citation nos.3 and 4 have already been submitted with the Information Disclosure Statement filed February 12, 2002 in this application.

The Office is invited to contact the undersigned to discuss any issues regarding this application.

Respectfully submitted,

KENYON & KENYON LLP

Date: 1/25/2007

  
Cassandra T. Swain, Ph.D.  
Registration No. 48,361

Kenyon & Kenyon LLP  
1500 K Street, N.W.  
Washington, D.C. 20005  
Telephone: (202) 220-4200  
Facsimile: (202) 220-4201



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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

**Complete if Known**

Application Number	09/988,739
Filing Date	November 20, 2001
First Named Inventor	Kazuo SHINOZAKI et al.
Art Unit	1638
Examiner Name	Unassigned
Attorney Docket Number	10235/10

**U.S. PATENT DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
		US-			
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		US-			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				

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Considered**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	1	Yamagushi-Shinozaki, Kazuko, et al., "A Novel <i>cis</i> -Acting Element in an Arabidopsis Gene Is Involved in Responsiveness to Drought, Low-Temperature, or High-Salt Stress," <i>The Plant Cell</i> , Vol. 6, pgs. 251-264, February 1994.	
	2	Yamagushi-Shinozaki, Kazuko, et al., "Molecular Cloning and Characterization of 9 cDNAs for Genes That Are Responsive to Desiccation in <i>Arabidopsis thaliana</i> : Sequence Analysis of One cDNA Clone That Encodes a Putative Transmembrane Channel Protein," <i>Plant Cell Physiol.</i> , 33(3), pgs 217-224, 1992.	
	3	Mayer, K., et al., "Sequence and analysis of chromosome 4 of the plant <i>Arabidopsis thaliana</i> ," <i>Nature</i> , Vol. 402, pgs. 769-777, December 16, 1999.	

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Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.